

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THOMAS JOHN STEWART,
Plaintiff,

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CIVIL ACTION

NO. 07-0177

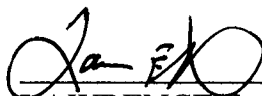
GEORGE WAGNER, et al.,
Defendants.

ORDER

AND NOW, this 1st day of January 2013, upon consideration of Defendants' Motions to Dismiss the Amended Complaint (Doc. Nos. 42, 44, 45) and Plaintiff's Responses thereto (Doc. Nos. 56, 57, 81), **IT IS HEREBY ORDERED** that the Motions are **GRANTED**, as follows:

1. Counts I, II, and IV of the Amended Complaint (Doc. No. 41) are dismissed, with prejudice;
2. Counts III, V, and VI of the Amended Complaint are dismissed, without prejudice;
3. The Clerk is directed to mark this case **CLOSED** for all purposes.

BY THE COURT:



LAWRENCE F. STENGEL, J.